



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Third day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.2241 of 2017

N.R.SUBRAMANIYAN

... PETITIONER/SOLE ACCUSED

Vs

THE STATE THROUGH
THE INSPECTOR OF POLICE,
SOUTH GATE POLICE STATION,
MADURAI

CRIME NO.94 OF 2017

... RESPONDENT/COMPLAINANT

T.S.LETCHIMIKANDHAM

... PETITIONER/INTERVENER/
DEFACTO COMPLAINANT

For Petitioner : M/S.S.MALAIKANI Advocate

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

For Intervenor : M/S.R.ALAGUMANI, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

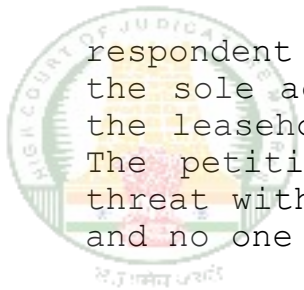
The petitioner, who is arrayed as sole accused, in Crime No.94 of 2017 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b) and 506(i) IPC and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent/State.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as mentioned in the F.I.R and the respondent Police without conducting proper investigation, mechanically registered the F.I.R against the petitioner herein.

4.The learned counsel for the Intervenor submitted that the petitioner herein is the tenant of the property belonging to the Intervenor and he has vacated the premises and handed over the possession to the Intervenor and he has filed a suit in O.S.No.77 of 2017 and got interim injunction against the petitioner herein not to disturb the peaceful possession of the Intervenor on the file of the District Munsiff Court, Madurai. The said order is also in force.

5.The learned Government Advocate (Crl. Side) appearing for the



respondent on instructions submitted that the petitioner herein is the sole accused in this case and there is a dispute in respect of the leasehold right of the petitioner with the defacto complainant. The petitioner is said to have used filthy language and made a threat with dire consequences against the defacto complainant herein and no one sustained injury in the occurrence.

6. Considering the above facts and circumstances of the case and also considering the fact that the Intervenor obtained interim injunction against the petitioner before the civil Court, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.IV, Madurai and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
03/03/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE NO.IV, MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3 THE INSPECTOR OF POLICE,
SOUTH GATE POLICE STATION, MADURAI
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.L.M.VIJAY BOOMINATHAN, Advocate SR.No.12564

ORDER
IN
CRL OP(MD) No.2241 of 2017
Date : 03/03/2017

CSL/PM-PN/SAR-III/08.03.2017 : 2P/6C